

REMARKS

New claim 47 has been added. Claims 1-24 and 47 are pending, with claims 1, 5, 13, 17, 21, and 47 being independent. No new matter is presented in this Amendment.

Request for Citation of References Cited by Examiner in Related Applications

The Examiner cited the following three references in the Office Action of September 12, 2007, issued in related Application No. 11/431,657, which is a continuation of the present application; and in the Office Action of October 5, 2007, issued in related Application No. 10/986,133, which is a continuation of the present application:

US 6,493,048

US 6,724,434

US 76,784,945

However, the Examiner has not cited these three references in the present application, and 37 CFR 1.97 and 1.98 and MPEP 609 do not specifically provide a procedure for an applicant to cite references cited by an Examiner in a related U.S. application. Accordingly, it is respectfully requested that the Examiner cite these references in the present application in the next Office Action.

Claim Rejections Under 35 USC 102

Claims 1-24 have been rejected under 35 USC 102(e) as being anticipated by Purnaveja et al. (Purnaveja) (U.S. Patent No. 6,230,172). This rejection is respectfully traversed. rejection of claims 16, 20, and 24 is moot in view of the cancellation of these claims. The rejection of claims 1-15, 17-19, and 21-23 is respectfully traversed.

In explaining the rejection of independent claim 1 in the Final Office Action of October 1, 2007, which the Examiner incorporates by reference in the explanations of the rejections of independent claims 5, 13, 17, and 21 in the Final Office Action of October 1, 2007, the Examiner states as follows:

Regarding claim 1, Purnaveja et al. teaches a data storage medium comprising:

....
navigation information defining a relation required for the main data and the sub data to be output in synchronization with each other by the reproducing apparatus (Fig. 2, Client computer 240)[.]

However, it is not understood how the client computer 240 in FIG. 2 of Purnaveja can, by any stretch of the imagination, be considered to be "navigation information defining a relation required for the main data and the sub data to be output in synchronization with each other by the reproducing apparatus," as recited in claim 1. Accordingly, it is respectfully requested that the Examiner explain why he considers Purnaveja's client computer 240 to be "navigation information" as recited in claim 1 in the next Office Action.

Also, in explaining the rejection of claim 1 in the Final Office Action of October 1, 2007, the Examiner takes the position that the file name of the video stream 500 in FIG. 5 of Purnaveja, the file name of the data annotation stream 800b in FIG. 8B of Purnaveja, which may be a ticker stream, and the event time markers 824b within the data annotation stream 800b in FIG. 8B of Purnaveja are "navigation information [that] comprises identifiers to identify particular bitstreams of the main data and the sub data recorded in different areas on the data storage medium for searching and content reproduction, and playback time information for the sub data corresponding to the main data" as recited in claim 1.

However, it is submitted that Purnaveja does not disclose or suggest the following feature recited in independent claim 1 and new independent claim 47:

wherein the navigation information is generated by a recording apparatus when the main data and the sub data are recorded in different areas on the data storage medium,

or the following feature recited in independent claims 5 and 13:

wherein the navigation information is generated during recording the main data and the sub data in different areas on a data storage medium,

or the following feature recited in independent claims 17 and 21:

wherein the navigation information is generated during recording the main data, the sub data and the extra data in different areas on the data storage medium,

because it appears that the file name of the video stream 500 in FIG. 5 of Purnaveja, the file name of the data annotation stream 800b in FIG. 8B of Purnaveja, and the event time markers 824b within the data annotation stream 800b in FIG. 8B of Purnaveja that the Examiner considers to be "navigation information" must be generated before the video stream 500 and the data annotation stream 800b are recorded, not when or during recording as recited in claims 1, 5, 13, 17, 21, and 47.

Furthermore, it is submitted that Purnaveja does not disclose or suggest the feature "wherein the navigation information is recorded in a separate stream from the main data and the sub data" recited in new independent claim 47 because the file name of the video stream 500 in FIG. 5 of Purnaveja, the file name of the data annotation stream 800b in FIG. 8B of Purnaveja, and the event time markers 824b within the data annotation stream 800b in FIG. 8B of Purnaveja that the Examiner considers to be "navigation information" as recited in claim 47 are part of the video stream 500 and the data annotation stream 800b, not in a separate stream as recited in new independent claim 47.

For at least the foregoing reasons, it is respectfully requested that the rejection of claims 1-24 (i.e., claims 1, 5, 13, 17, and 21 discussed above and claims 2-4, 6-12, 14-16, 18-20, and 22-24 depending therefrom) under 35 USC 102(e) as being anticipated by Purnaveja be withdrawn, and that claims 1-24 and new claim 47 discussed above be allowed.

Conclusion

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.


Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with the filing of this paper, please charge the same to our Deposit Account No. 503333.

Respectfully submitted,

STEIN, MCEWEN & BUI, LLP

Date: 10/31/07

By: 
Randall S. Svihla
Registration No. 56,273

1400 Eye St., NW
Suite 300
Washington, D.C. 20005
Telephone: (202) 216-9505
Facsimile: (202) 216-9510